

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 04-12317WGY

AMERICAN TOWER CORPORATION,  
Plaintiff,

v.

J.L.B. CONSTRUCTION, INC., 21<sup>ST</sup>  
CAPITAL CORPORATION, PRIME  
COMMUNICATIONS, LLC, AMF  
ELECTRICAL CONTRACTORS, INC.,  
HEINZ CORPORATION, DANIEL  
WENESS CONSTRUCTION,  
WESTERN STATES TOWER, LLC,  
WEST CENTRAL CONSULTING  
SERVICES, INC., STEWART  
ELECTRIC, INC., GLOBAL TOWER  
SERVICE, ADVANCED LIGHTNING  
TECHNOLOGY, LTD. and GULF  
COAST STEEPLEJACK,  
Defendants.

**PLAINTIFF'S MOTION TO DISBURSE INTERPLEADER FUNDS**

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**NOW COMES** the Plaintiff American Tower Corporation ("American Tower") and hereby moves this Honorable Court to disburse funds deposited by the Plaintiff into the registry of the Court (the "Interpleader Funds") in accordance with the Agreement for Judgment filed contemporaneously herewith.

In support hereof, the Plaintiff states as follows: On or about May 17, 2005, American Tower and the non-defaulted Defendants JLB Construction, Inc., 21<sup>ST</sup> Capital Corporation, Prime Communications, LLC, West Central Consulting Services, Inc. and

Stewart Electric, Inc. (collectively, the "Defendants") (all parties herein are collectively referred to as the "Parties") participated in a Court-ordered mediation session (the "Mediation"), under the guidance of Magistrate Judge Joyce Alexander. On or about July 27, 2005, the Parties executed a General Release and Settlement Agreement in the matter.

Plaintiff now moves this Honorable Court to disburse the Interpleader Funds currently held with Registry of the Court in accordance with the Agreement for Judgment. Specifically, the Plaintiff moves that Sixty-One Thousand Six Hundred Sixty-Six Dollars and 66/100 (\$61,666.66) be disbursed to the Defendant Prime Communications, LLC; that Sixty-One Thousand Six Hundred Sixty-Six Dollars and 66/100 (\$61,666.66) be disbursed to the Defendants West Central Consulting Services, Inc. and Stewart Electric, Inc. jointly; and that Thirty Thousand Dollars (\$30,000.00) be disbursed to the Defendant J.L.B. Construction, Inc.

**WHEREFORE**, the Plaintiff respectfully requests that this Honorable Court allow its Motion to Disburse Interpleader Funds.

Respectfully submitted,  
AMERICAN TOWER CORPORATION,  
By its attorneys,

/s/Gregory J. Aceto  
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Dated: July 28, 2005